

P-5078-C1-C1**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of Mark L. Binette et al.

Serial No.: 09/846,509

Examiner: R. Gorden

Filing Date: May 1, 2001

Group Art Unit: 3711

For: GOLF BALL WITH MULTI-LAYER COVER

Commissioner for Patents & Trademarks
Washington, DC 20231

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JUN 28 2002

GROUP 3700

Elect
#67/2/02
B Ross

Sir:

RESPONSE TO ELECTION REQUIREMENT UNDER 35 U.S.C. § 1.21

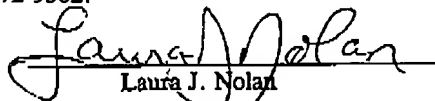
In the Office Action of June 11, 2002, the Examiner stated that the application contains claims directed to the following patentably distinct species: 1) two layer core and a multi-layer cover; 2) three layer core and a multi-layer cover; and 3) two layer core, a thread layer, and a multi-layer cover. The Examiner further stated that election of a single species is required, and claims 28, 62 and 90 appear to be generic.

In response to the Election Requirement, Applicants elect embodiment 1, drawn to a two layer core and a multi-layer cover, with traverse. Applicants respectfully submit that all claims can effectively be searched at the same time as all claims relate to a golf ball having a multi-layer core and a multi-layer cover.

Claims 28 to 43, 45 to 53, 62 to 80, 90 to 111 and 113 to 115 are directed to the elected species. Claims 44, 81 and 112 are directed to Species 2, and claims 54 to 61, 82 to 89 and 116 to 123 are directed to Species 3.

CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8a)

I hereby certify that this Response to Election Requirement Under 35 U.S.C. § 1.21 is being transmitted by facsimile on the date shown below to the Patent and Trademark Office to Examiner R. Gorden in TC3700 at 703-872-9302.

Date: June 28, 2002
Laura J. Nolan

09/846,509

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Enclosed with this Response to Election Requirement is a Preliminary Amendment. The Examiner is invited to telephone Applicants' attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

Respectfully submitted,

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Date: June 28, 2002

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